

In view of the deficiencies of the Ohmori, et al. references, as discussed above, as well as the amendments to base claims 1 and 7 herein, it is believed that the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 2-6 and 9-14 under 35 U.S.C. 103(a) as being unpatentable over Gilbert, et al. in view of Fujita, et al. (EP 1099474).

The Gilbert, et al. reference discloses a malodor free cleansing bar (and cleansing liquid) composition containing a zeolite odor controlling agent. In particular, Gilbert, et. al. disclose a cleansing composition wherein zeolite is added to minimize or eliminate unpleasant odors from the composition by adsorbing same (see column 3, lines 30-59).

As recognized by the Examiner, Gilbert et al. teach or suggest neither the alum component, nor the amount and size thereof. To cure this deficiency, the Examiner has cited Fujita, et al. As the Examiner has stated, Fujita, et al. does disclose alum for use in a deodorant. However, neither Gilbert, et al. nor Fujita, et al. disclose an anti-bacterial zeolite having silver, zinc and ammonium ion substitutions, as now claimed in amended base claim 2. Further, neither Fujita, et al. nor Gilbert, et al. teach or suggest combining such an *antibacterial* zeolite with alum and/or dried alum to obtain a skin treatment composition as disclosed herein.

In contrast, the present invention, as claimed in claims 2-6 and 9-14, provides a skin treatment composition comprising (a) anti-bacterial zeolite having silver, zinc and ammonium ion substitutions; and (b) alum and/or dried alum. The present inventors found that by substituting silver, zinc and ammonium ions into a zeolite, both superior antibacterial and deodorizing properties could be achieved. However, the metal ions tend to stain, i.e., produce undesirable coloration. Such staining is unacceptable when used in cosmetic products.

The present inventors then unexpectedly discovered that by combining such an antibacterial zeolite with an alum and/or dried alum component, the undesirable staining effect could be minimized or eliminated. Accordingly, a skin treatment composition containing anti-bacterial zeolite that has superior anti-discoloring properties could be obtained. It is respectfully submitted that neither of the references, either alone or in combination, disclose such a composition, or the effects provided thereby.

In view of the amendments to base claim 2 present herein, as well as the distinguishing characteristics of the composition of the present invention discussed above, it is believed that the cited combination of references fails to render the skin treatment composition of the present invention unpatentable. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Ohmori, et al.

The Ohmori, et al. reference is discussed in detail above.

As discussed above, the Ohmori, et al. reference discloses neither a composition containing an *antibacterial* zeolite, nor a composition containing *antibacterial* zeolite in combination with polyoxyethylene polyoxypropylene 2-decyldodecyl ether, as claimed herein in base parent claim 7. Further, as the Examiner has recognized, Ohmori, et al. fails to teach the claimed polyoxyethylene polyoxypropylene 2-decyldodecyl ether containing 20-28 ethylene oxide units and 10-16 propylene oxide units as claimed herein in claim 8. Rather, that teaching or suggestion comes only from the present invention, and constitutes an important element or aspect thereof.

The present inventors found that the antibacterial zeolite (which is not disclosed by Ohmori, et al) provides superior deodorizing properties. However, it was found that a zeolite

containing such antibacterial component substitutions tends to discolor the carrier cosmetic, as well as stain clothing that comes into contact with the skin treatment composition containing same. Further, usability problems (such as the lack of smooth feel on the skin during application) are encountered with such zeolites. The present inventor unexpectedly discovered that combining such an antibacterial zeolite with the claimed polyoxyethylene polyoxypropylene 2-decyltetradecyl ether eliminated these problems.

It is respectfully submitted that Ohmori, et al. fails to teach or suggest the skin treatment composition comprising the *antibacterial* zeolite as now claimed herein in amended claim 8, or the problems of discoloration, staining and usability addressed by same. Therefore, it is believed that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to follow the guidance of Ohmori, et al. to arrive at the claimed skin treatment composition. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over Tominaga, et al. (USP 6,077,520).

Tominaga, et al. discloses an anti-aging composition for application to the skin, which inhibits collagen cross-linking. However, as with the primary Ohmori, et al. and Gilbert, et al. references discussed above, Tominaga, et al. fails to disclose the now claimed *antibacterial* zeolite having silver, zinc and ammonium ion substitutions, the superior deodorizing effects obtained by the use of same, or the discoloration, staining and usability problems encountered with same. Furthermore, Tominaga, et al. fails to teach or suggest the combination of such antibacterial zeolite with a polyoxyethylene polyoxypropylene 2-decyltetradecyl ether. Rather, that teaching or suggestion comes only from the present invention, and constitutes an important element or aspect thereof.

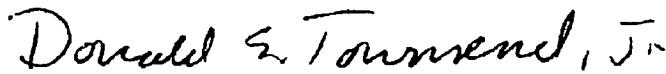
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In view of these deficiencies, as well as the unexpected results set forth in the instant Specification, it is believed that the skin treatment composition as now claimed in amended claims 7 and 8 patentably distinguishes from the cited Tominaga, et al. reference. Accordingly, it is believed that the Examiner would now be justified in withdrawing the instant rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted,



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Date: September 1, 2008

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